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REMARKS

The Office Action of October 31, 2005 was received and carefully reviewed. The Examiner is thanked for reviewing this application.

Claims 1-86 and 88 were pending prior to the instant amendment. By this amendment, claims 3-6, 21-24 and 88 have been amended, and claims 1, 2, 19, 20, 57, 67, 77, 82 and 87 have been canceled. Consequently, claims 3-18, 21-56, 58-66, 68-76, 78-81, 83-86 and 88 are currently pending in the instant application, of which claims 3-6, 21-24 and 88 are independent.

Referring now to the detailed Office Action, claims 1, 2, 19, 20, 67, 77, 82 and 87 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita et al. (U.S. Patent No. 6,072,206 – hereafter Yamashita) in view of Roberts (U.S. Patent No. 5,541,654 – hereafter Roberts) and Morris et al. (U.S. Patent No. 6,665,010). Further, claims 3-18, 21-36, 48-56, 68-71, 73-76, 78-81, 83-86 and 88 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts, Morris and Bailey (U.S. Patent Publication No. 2001/0007471 – hereafter Bailey). Finally, claims 37-47, 57-66 and 72 stand rejected under 35 U.S.C. §103(a) as unpatentable over Yamashita in view of Roberts, Morris, Bailey and Kamiko (U.S. Patent No. 6,307,956 – hereafter Kamiko). These rejections are substantially a repeat of the rejections issued in the Office Action mailed May 13, 2005.

With respect to the rejection of claims 1 and 19 under 35 U.S.C. §103(a) as being unpatentable over Yamashita in view of Roberts and Morris, Applicant has canceled claims 1 and 19 and their respective dependent claims 2, 20, 37, 57, 67, 77, 82 without prejudice or disclaimer to the subject matter disclosed therein. Accordingly, the rejections of these canceled claims are now rendered moot.

In the interest of expediting the allowance of this application and to keep prosecution history compact, Applicant has amended all pending independent claims 3-6, 21-24 and 88, as shown above, in response to the rejection of claims 3-6, 21-24 and 88 under 35 U.S.C. §103(a) over Yamashita in view of Roberts Morris and Bailey to further distinguish the claimed invention over the cited prior art references. Despite the claim amendments, Applicant does not acquiesce to the rejections, and the arguments submitted previously in response to the rejection are incorporate herein by reference.

Applicant respectfully assert that none of the cited prior art references, applied

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separately or in combination, teach, disclose or suggest the step of imaging a second object ordinarily, which comprises resetting said plurality of pixels sequentially; and selecting said plurality of pixels sequentially after said storage period has passed since resetting said plurality of pixels, in combination with the other claimed steps, as recited in amended claims 3-6 and 88. Further, none of the cited prior art references teach, disclose or suggest the amended step wherein, in an ordinary imaging period, a plurality of second pixels of said image pickup unit are selected sequentially, after said storage period has passed since said plurality of second pixels were reset sequentially, in combination with other claimed steps, as recited in amended claims 21-24.

The requirements for establishing a *prima facie* case of obviousness, as detailed in MPEP § 2143 - 2143.03 (pages 2100-122 - 2100-136), are: first, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference to combine the teachings; second, there must be a reasonable expectation of success; and, finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. Applicant respectfully asserts that the Examiner has failed to show where the step of "imaging a first object on triad" is suggested or taught in the cited prior art references and how each different teaching of the cited prior art references can be combined to arrive at Applicant's claimed invention, as submitted in the Response filed August 15, 2005. Further, the cited prior art references also fail to teach, disclose or suggest the above-discussed amended features of claims 1-6, 21-24 and 88. Therefore, a *prima facie* case of obviousness has not been established.

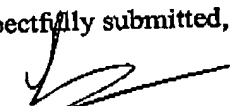
The arguments and amendments set forth above with respect to the rejections of the independent claims are also applicable to the rejections of their respective dependent claims. In the interest of keeping prosecution history compact, Applicant will not address each and every rejection of the dependent claims but reserve the right to do so in the future, as necessary.

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In view of the foregoing, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 3-18, 21-56, 58-66, 68-76, 78-81, 83-86 and 88 be allowed and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,



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